UNITED NATIONS

ST

Secretariat

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23 December 1992

ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Under-Secretary-General for Administration and Management

Subject: ACCEPTANCE OF PAYMENTS FROM GOVERNMENTS TO SUPPLEMENT UNITED NATIONS EMOLUMENTS*

1. By section IX of its resolution 45/241 of 21 December 1990, the General Assembly, inter alia, requested the Secretary-General of the United Nations and the executive heads of the organizations of the common system to take such measures and make such proposals as they consider appropriate in order to end the practice of some Member States of making supplementary payments with respect to their nationals.

2. In this connection the attention of staff members is drawn to the provisions of staff regulation 1.6, which contain a categorical injunction against the acceptance of "any honour, decoration, favour, gift or remuneration from any Government excepting for war service". The regulation leaves no discretion on the part of the Secretary-General to approve such acceptance.

3. The prohibition against acceptance of remuneration or other benefits from Governments flows from Article 100, paragraph 1, of the Charter of the United Nations, which states that "in the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization." The obligation not to seek or accept instructions in regard to the performance of official

* Personnel Manual index No. 1115.

duties from any Government or other authority external to the Organization is also reflected in the Staff Regulations and Rules and in the oath of office taken by all staff members.

4. Receipt of any form of supplement to the emoluments payable by the United Nations from a Government is contrary to the letter and spirit of the Charter and the Staff Regulations and Rules, and fundamentally compromises the independence of individuals involved. The practice of national subsidies to supplement United Nations emoluments for certain staff members is unacceptable, and as requested by the General Assembly, it is necessary to take urgent measures to put an end to it.

5. Accordingly, all staff members who currently might be receiving a supplement to their United Nations emoluments from a Government in the form of cash payments or any other remuneration, favour, gift or comparable benefit should immediately make arrangements to discontinue receipt of such supplement. 1/ Individual staff members who have difficulties in complying with this instruction should immediately notify the Under-Secretary-General for Administration and Management, who will determine the appropriate course of action in each particular case.

6. Following publication of the present administrative instruction, receipt by any staff member of a governmental supplement to his/her United Nations emoluments will be considered as constituting misconduct within the meaning of staff regulation 10.2 leading to the imposition of disciplinary measures in accordance with staff rule 110.3.

7. Further to the measures announced above, the Office of Human Resources Management will develop procedures by which staff members will be required to attest regularly that they are not receiving any supplement from any Government to their emoluments. Staff members will be informed of the modalities of these procedures shortly.

Notes

1/ Staff regulation 3.4 (c) makes provision for the treatment of dependency benefits to which a staff member may be entitled under the applicable laws of his/her country. Accommodation provided to the United Nations by a host country for the use of its employees is taken into account through adjustments in rental subsidy in accordance with applicable administrative instructions.